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EXAMINER

LE, CANH

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/741,512	Applicant(s) CHEBOLU ET AL.	
	Examiner CANH LE	Art Unit 2439	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 11-29, 31-50 and 52-63 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 11-29, 31-50 and 52-63 is/are rejected.
- 7) ☒ Claim(s) 1, 22 and 43 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/03/2008 and 11/03/2008 has been entered.

This Office Action is in response to the communication filed on 11/03/2008.

Claims 9-10, 30, and 51 have been cancelled.

Claims 1, 22, and 43 have been amended.

Claims 1-8, 11-21, 22-29, 31-42, 43-50, and 52-63 have been examined and are pending.

(Note: The Examiner is acknowledged that the following claims 1, 11, 15, 22-26, 28-29, 31-32, 36, and 41-42 have been amended filed on 10/03/2008).

Response to Arguments

The applicant's amendment filed 11/03/2008 necessitated the new ground(s) of rejection presented in this Office action. Therefore, applicant's arguments with respect to claims 1-8, 11-

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21, 22-29, 31-42, 43-50, and 52-63 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

The amendment filed 11/03/2008 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

Claims 1, 22, and 43 recite the limitation “*when the requested computer application is matched to the list of restricted computer applications, then prohibit opening the window associated with the requested computer application and automatically terminate the requested computer application*” are not supported by the original specification (Emphasis added).

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-8, 11-21, 22-29, and 31-42 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 1 recites the preamble “**A system** for controlling computer access, the system operative to:

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“**control access** to use of the computer”,

“**store** a list of restricted computer applications”,

“**intercept** a message for opening a window”;

“**collect** information from the computer”.”

A paragraph [0039] of the specification recites as the following:

“[0039] The access control unit 155 of one embodiment can be implemented in software, firmware, hardware, or a combination thereof. Preferably, the access control unit 155 is implemented in software, as an executable program, and is executed by a special or general-purpose digital computer 106, such as a personal computer, workstation, minicomputer, or mainframe computer. In various embodiments, the access control unit 155, as software, is downloaded from the Internet by the general-purpose computer 106 and subsequently installed on the general-purpose computer 106. In some other embodiments, the access control unit 155, is provided via computer disks, computer cards, or other file-storage devices, or is pre-installed on the general-purpose computer 106.”

The access control unit 155 of one embodiment can be implemented in software, firmware, hardware, or a combination therefore.

Although the preamble of the claim recites “a **system**,” the body of the claim does not positively recite any element of hardware.

The claim language does not specify to implement in hardware. Therefore, it can be implemented in software. The claimed invention is directed to non-statutory subject matter.

Claim 1 should be rewritten to cover hardware only.

Claims 2-8 and 11-21 are rejected with the same reason above.

Claim 22 recites the preamble “**A system** for controlling computer access, comprising the system operative to:

“**specify** settings”,
“locally **control access** to use of the computer”,
“**store** a list of restricted computer applications”,
“**intercept** a message for opening a window”,
“**collect** the requested computer application”,
“**compile** the information into a report”.”

Although the preamble of the claim recites “a **system**,” the body of the claim does not positively recite any element of hardware (Please, See the same argument as described in **claim 1** above; paragraph [0039] of the specification).

Claim 22 should be rewritten to cover hardware only.

Claims 22-29 and 31-42 are rejected with the same reason above.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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Claims 1, 22, and 43 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the computer" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the requested user" in lines 16-17. There is insufficient antecedent basis for this limitation in the claim.

Claim 22 recites the limitation "the requested user" in lines 20-21. There is insufficient antecedent basis for this limitation in the claim.

Claim 43 recites the limitation "the requested user" in line 19. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 15-19, 22-26, 36-40, 43-47, and 57-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Beilinson et al.** (US2004/0003279 A1) in view of **Kruglenko** (US 2003/0217287 A1) further in view of **Lapidous** (US 2004/0125149 A1).

As per claim 1:

Beilinson teaches a system for controlling computer access, the system operative to:

(a) control access to use of the computer according to settings specified by an administrator for at least one user of the computer **[Beilinson: abstract; par. [0004]; lines 9-13; par. [0048]-[0060]; par. [0051], lines 5-8; A parent can use sub-category 288 to set specific times during the day that a child is allowed to use the computer. Also, a administrator can limit an employee's allowable login hours to the hours that the employee regularly works],** wherein the administrator can input changes to the settings locally to the computer and remotely from the computer on another computer to which the settings do not apply **[Beilinson: par. [0070]; “fig. 5 is an embodiment of the system 500 of the present invention. Group policy objects 510 which circulate around a local network 512 hold the user authorization settings that have been configured through the system controls 514 typically through an administrator's computer 516. The local network 512 needed to support the invention could be a traditional LAN or WAN. However, it could also be any communications link between two or more computers. So, to be part of the local network 512, a computer needs to be able to communicate with at least one other computer in the local network 512 and needs to be identified as part of the local network 512 ...”];**

(b) store a list of restricted computer applications **[Beilinson: par. [0007]; computer functions include executing software application such as word processors or games; par. [0008]; fig. 2 par. [0041]; par. [0048-0049]; par. [0054]; a restriction component 214 can be used to restrict specific computer functions 226 (e.g. restricted computer application)];**

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(d) compare the requested computer application to the list of restricted computer applications [Beilinson: par. [0007]; par. [0054-0055]; **“Function name sub-category 234 is used to deny or enable a user access to computer functions”**];

(e) when the requested computer application is matched to the list of restricted computer applications, then prohibit opening the window associated with the requested computer application terminate the requested computer application [Beilinson: par. [0007]; par. [0054-0055]; **“Function name sub-category 234 is used to deny or enable a user access to computer functions”**]; and

(f) collect information from the computer on which local computer applications the respective user is attempting to access on the computer, the information being compiled in a report regarding the respective user, the report being made accessible to the administrator from a remote database [Beilinson: **“Desired data is collected which can be distilled into reports on total system usage, computer function usage, function process time, unsuccessful computer function usage attempts and the like. The administrator may apply various filters to the raw data in order to generate reports containing only desired information.... The administrator is further provided with the ability to monitor a user's activity via a read-only view of a user's computer display”**; par. [0044]; **“The monitoring and auditing component 212 is used to view a user machine by the administrator, to collect user activity data and to generate reports”**; par. [0047]; par. [0070]].

Beilinson does not explicitly teach,

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(c) intercept a message for opening a window associated with a requested computer application, the message intercepted before receipt thereof by an operating system to prevent opening the window;

However, Kruglendo teaches, intercepting a message for opening a window associated with a requested computer application, the message intercepted before receipt thereof by an operating system [Kruglenko: par. [0056]; **"A hook is a point in the message-handling mechanism where the message traffic is monitor in order to intercept and process certain message before they reach their target window procedure 306 ... The action taken by the hook procedure varies between types of hooks. The message may be changed, stopped altogether, or simply monitored"**];

Therefore, it would have been obvious to the person of ordinary skill in the art at the time the invention was made to combine the system of Beilinson by including the teaching of Kruglenko to provide users with a means for preventing an unsophisticated user, such as a small child, from access programs or resources on a computer that may allow the user to cause harm to a computer system by limiting access to the computer's resources to a number of predefined secure programs and resources [Kruglenko: abstract, par. [0001]].

Beilinson and Kruglendo disclose the claimed invention except preventing opening for a window.

However, Lapidous teach a method and apparatus for managing display of popup windows wherein preventing to open a window [Lapidous: par. [0011]].

Therefore, it would have been obvious to the person of ordinary skill in the art at the time the invention was made to combine the system of Beilinson and Kruglendo by including the

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teaching of Lapidous wherein preventing to open a window to provide users with a means for managing display of supplemental on-screen windows known as popup windows [**Lapidous: par. [0013]**]

Beilinson, Kruglendo and Lapidous disclose the claimed invention except for terminating automatically a requested computer application.

It would have been obvious to the person of ordinary skill in the art at the time the invention was made to terminate automatically a requested computer application, since it has been held that broadly providing a mechanical or automatically means replace manual activity which has accomplished the same result involves only routine skill in the art [*In re Venner*, 262 F.2d 91, 95, 120 USPQ 193, 194 (CCPA 1958)].

As per claim 2:

Beilinson further teaches the system of claim 1, wherein the report includes a duration of time the respective user has accessed a particular computer application [**Beilinson: abstract; “The invention enables an administrator to restrict a user's logon hours, logon duration, access to computer functions, and access to applications based on content rating”; par. [0006]; par. [0008]; par. [0022]; par. [0045], lines 5-9; “Reports can be generated on total system usage, computer function usage, function process time, unsuccessful computer function usage attempts and the like. Other reports could be generated, and the invention is not limited to the particular reports generated”**].

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As per claim 3:

Beilinson further teaches the system of claim 1, wherein the report includes identification of one or more chronological times in which the respective user has accessed a particular computer application [**Beilinson: abstract; “The invention enables an administrator to restrict a user's logon hours, logon duration, access to computer functions, and access to applications based on content rating”; par. [0006]; par. [0008]; par. [0022]; par. [0045], lines 5-9; “Reports can be generated on total system usage, computer function usage, function process time, unsuccessful computer function usage attempts and the like. Other reports could be generated, and the invention is not limited to the particular reports generated”].**

As per claim 4:

Beilinson further teaches the system of claim 1, wherein the report includes the computer applications the respective user is denied access to according to the settings specified by the administrator [**Beilinson: abstract; par. [006]; “the implementation of such a system includes restricting a user's logon hours, logon duration, access to computer functions, and access to applications. In addition, the implementation of such a system includes enabling an administrator to temporarily restrict or extend a user's normally allowed access privileges as well as monitor, audit, and obtain reports of a user's computer function usage”; par. [009]; par. [0054], lines 7-8; par. [0057], lines 3-4; par. [0065], lines 11-13; “the administrator can thus easily set time of day restrictions or content rating restrictions, for**

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example, and can also specify which reports, if any are desired”; par. [0063], lines 14-15; “a system could be denied until the day after the child’s math final”].

As per claim 5:

Beilinson teaches the system of claim 1, wherein the report includes the computer applications to which the respective user is granted access **[Beilinson: abstract; par. [006]; par. [009]; par. [0045]; “Reports can be generated on total system usage, computer function usage, function process time, unsuccessful computer function usage attempts and the like. Other reports could be generated, and the invention is not limited to the particular reports generated”; par. [0059], lines 5-6; a child’s daily access to computer games can be limited to an amount defined by the parent; par. [0065]].**

As per claim 15:

Beilinson further teaches the system of claim 1, further operative to collect additional information on which services of a designated computer application the respective user is attempting to access on the computer, the additional information being compiled in a report regarding the respective user **[Beilinson: par. [0010], “Desired data is collected which can be distilled into reports on total system usage, computer function usage, function process time, unsuccessful computer function usage attempts and the like. The administrator may apply various filters to the raw data in order to generate reports containing only desired information.... The administrator is further provided with the ability to monitor a user’s activity via a read-only view of a user’s computer display”; par. [0044]; “The monitoring**

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and auditing component 212 is used to view a user machine by the administrator, to collect user activity data and to generate reports”; par. [0047]; par. [0059], lines 5-6; “ a child’s daily access to computer games can be limited to an amount defined by the parent”; an additional information can be a child’s daily access to computer games].

As per claim 16:

Beilinson further teaches the system of claim 15, wherein the report further includes a duration of time the respective user has accessed a particular service of the designated computer application **[Beilinson: abstract; “The invention enables an administrator to restrict a user’s logon hours, logon duration, access to computer functions, and access to applications based on content rating”; par. [0006]; par. [0008]; par. [0022]; par. [0045], lines 5-9; “Reports can be generated on total system usage, computer function usage, function process time, unsuccessful computer function usage attempts and the like. Other reports could be generated, and the invention is not limited to the particular reports generated”].**

As per claim 17:

Beilinson further teaches the system of claim 15, wherein the report further includes identification of one or more chronological times in which the respective user has accessed the particular service of the designated computer application **[Beilinson: abstract; “The invention enables an administrator to restrict a user’s logon hours, logon duration, access to computer functions, and access to applications based on content rating”; par. [0006]; par. [0008]; par. [0022]; par. [0045], lines 5-9; “Reports can be generated on total system usage,**

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computer function usage, function process time, unsuccessful computer function usage attempts and the like. Other reports could be generated, and the invention is not limited to the particular reports generated”].

As per claim 18:

Beilinson further teaches the system of claim 15, wherein the report includes the services the respective user is denied access to according to the settings specified by the administrator [Beilinson: abstract; par. [006]; **“the implementation of such a system includes restricting a user's logon hours, logon duration, access to computer functions, and access to applications. In addition, the implementation of such a system includes enabling an administrator to temporarily restrict or extend a user's normally allowed access privileges as well as monitor, audit, and obtain reports of a user's computer function usage”; par. [0054], lines 7-8; par. [0057], lines 3-4; par. [0065], lines 11-13; “the administrator can thus easily set time of day restrictions or content rating restrictions, for example, and can also specify which reports, if any are desired”; par. [0063], lines 14-15; “ a system could be denied until the day after the child's math final”].**

As per claim 19:

Beilinson further teaches the system of claim 15, wherein the report includes the services the respective user is granted access to according to the settings specified by the administrator [Beilinson: abstract; par. [006]; par. [009]; par. [0045]; **“Reports can be generated on total system usage, computer function usage, function process time, unsuccessful computer**

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function usage attempts and the like. Other reports could be generated, and the invention is not limited to the particular reports generated"; par. [0059], lines 5-6; a child's daily access to computer games can be limited to an amount defined by the parent; par. [0065]].

As per claim 22:

This claim has limitations that are similar to those of claim 1 with additional limitation (c) monitor messages from a requested computer application that are directed to an operating system [Kruglenko: par. [0056]; "A hook is a point in the message-handling mechanism where the message traffic is monitor in order to intercept and process certain message before they reach their target window procedure 306 ... The action taken by the hook procedure varies between types of hooks. The message may be changed, stopped altogether, or simply monitored"], thus it is rejected with the same rationale applied against claim 1 above.

As per claims 23-26 and 36-40:

Claims 23-26 and 36-40 are similar to those of claims 2-5 and 15-19 accordingly, thus it is rejected with the same rationale applied against claims 2-5 and 15-19 above.

As per claims 43-47, 57-61:

Claims 43-47 and 57-61 are essentially the same as claims 1-5 and 15-19 accordingly except that it sets forth the claimed invention as a method rather a system comprising and rejected under the same reasons as applied above.

Claims 6-8, 11, 20-21, 27-29, 31-32, 41-42, 48-50, 52-53, and 62-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Beilinson et al.** (US2004/0003279 A1) in view of **Kruglenko** (US 2003/0217287 A1) further in view of **Lapidous** (US 2004/0125149 A1), and further in view of **Mathew et al.** (US 2004/0003071 A1).

As per claim 6:

Beilinson, Kruglenko and Lapidous do not explicitly teach the system wherein the report is in the form of a web page.

However, Mathew teaches the system wherein the report is in the form of a web page **[Mathew: fig. 17; par. [0071]; a history summary report implemented as a Web page using a markup language].**

Thus, it would have been obvious to the person of ordinary skill in the art at the time the invention was made to modify the system of Beilinson, Kruglenko and Lapidous by including teaching of Mathew because it would allow administrator control component is operable to track and store the user's allowed and blocked online action, generate a history summary report to administrator **[Mathew, fig. 17, par. [0016]].**

As per claim 7:

Mathew further teaches the system of claim 6, wherein the report provides a mechanism for the administrator to authorize the respective user access to a particular application to which the respective was previously denied access **[Mathew: fig. 17, section of Blocked Web sites,**

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third column; an administrator can select “Allow site”; fig. 16, box 1610 and 1612; par. [0078], lines 1-5 and lines 9-12].

As per claim 8:

Mathew further teaches the system of claim 6, wherein the report provides a mechanism for the administrator to prohibit the respective user access to a particular application [**Mathew: fig. 17, section of Visited sites, third column; an administrator can select “Block site”; fig. 16, box 1610 and 1614; par. [0079], lines 1-10].**

As per claim 11:

Beilinson, Kruglenko and Lapidous do not explicitly teach the system further operative to report unit updates the report with new collected information after an occurrence of at least one particular computer event.

However, Mathew teaches the system wherein a reporting unit updates the report with new collected information after an occurrence of at least one particular computer event [**Mathew: fig. 5B; fig. 5C; par. [0052]; “the parental control server 204 receives the request resolution and update the consent database 208 with request resolution”].**

Thus, it would have been obvious to the person of ordinary skill in the art at the time the invention was made to modify the system of Beilinson, Kruglenko and Lapidous by including teaching of Mathew because it would allow administrator control component is operable to track

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and store the user's allowed and blocked online action, generate a history summary report to administrator [**Mathew, fig. 17, par. [0016]**].

As per claim 20:

Beilinson, Kruglenko and Lapidous do not explicitly teach the system wherein the report provides a mechanism for the administrator to authorize the respective user access to a particular service to which the respective user was previously denied access.

However, Mathew teaches the system wherein the report provides a mechanism for the administrator to authorize the respective user access to a particular service to which the respective user was previously denied access [**Mathew: fig. 17, section of Blocked Web sites, third column; an administrator can select "Allow site"; fig. 16, box 1610 and 1612; par. [0078], lines 1-5 and lines 9-12]**].

Thus, it would have been obvious to the person of ordinary skill in the art at the time the invention was made to modify the system of Beilinson, Kruglenko and Lapidous by including the teaching of Mathew because it would allow administrator control component is operable to track and store the user's allowed and blocked online action, generate a history summary report to administrator [**Mathew, fig. 17, par. [0016]**].

As per claim 21:

Beilinson, Kruglenko and Lapidous do not explicitly teach a system wherein the report provides a mechanism for the administrator to prohibit the respective user access to a particular service to which the respective user was previously granted access.

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However, Mathew teaches a system wherein the report provides a mechanism for the administrator to prohibit the respective user access to a particular service to which the respective user was previously granted access [**Mathew: fig. 17, section of Visited sites, third column; an administrator can select “Block site”; fig. 16, box 1610 and 1614; par. [0079], lines 1-10**].

Thus, it would have been obvious to the person of ordinary skill in the art at the time the invention was made to modify the system of Beilinson, Kruglenko and Lapidous by including the teaching of Mathew because it would allow administrator control component is operable to track and store the user's allowed and blocked online action, generate a history summary report to administrator [**Mathew, fig. 17, par. [0016]**].

As per claims 27-29, 31-32, 41-42:

Claims 27-29, 32 and 41-42 are similar to those of claims 6-8, 11 and 20-21 accordingly, thus it is rejected with the same rationale applied against claims 6-8, 11 and 20-21 above.

Regard to claim 31, Beilinson, Kruglenko, Lapidous, and Mathew teach subject matter as described in claim 27. Mathew further teaches system further operative to store the report of the respective user [**Mathew: par. [0009]; lines 6-8; par. [0069], line 10; a summary information is stored**].

As per claims 48-50, 52-53, 62-63:

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Claims 48-50, 53 and 62-63 are essentially the same as claim 6-8, 11 and 20-21 accordingly except that it sets forth the claimed invention as a method rather a system comprising and rejected under the same reasons as applied above.

Regard to claim 52, Beilinson, Kruglenko, Lapidous, and Mathew teach subject matter as described in claim 48. Mathew further teaches storing the report of the respective user **[par. [0009]; lines 6-8; par. [0069], line 10; a summary information is stored]**.

Claims 12-13, 33-34, and 54-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Beilinson** et al. (US2004/0003279 A1) in view of **Kruglenko** (US 2003/0217287 A1) further in view of **Lapidous** (US 2004/0125149 A1) and further in view of **Mathew** et al. (US 2004/0003071 A1), and further in view of **Rowland** (US 6,405,318 B1).

As per claim 12:

Beilinson, Kruglenko, Lapidous, and Mathew teach the system as described in claim 11.

Beilinson, Kruglenko, Lapidous, and Mathew do not explicitly teach a system wherein the particular computer event includes the respective user logging on the computer.

However, Rowland teaches a system wherein the particular computer event includes the respective user logging on the computer **[Rowland: Col. 4, lines 30-38; a system monitors logs (record) all logins and logouts for the target host 21]**.

Thus, it would have been obvious to the person of ordinary skill in the art at the time the invention was made to combine the system of Beilinson, Kruglenko, Lapidous, and Mathew by

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including the teaching of Rowland because it would be able to detect intrusion as they are occurring or soon after in real-time system [**Rowland, fig. 17, par. [0068], lines 1-3**].

As per claim 13:

Beilinson, Kruglenko, Lapidous, and Mathew teach the system as described in claim 11.

Beilinson, Kruglenko, Lapidous, and Mathew do not explicitly teach a system wherein the particular computer event includes the respective user logging off the computer.

However, Rowland teaches a system wherein the particular computer event includes the respective user logging off the computer [**Rowland: Col. 4, lines 30-38; a system monitors logs (record) all logins and logouts for the target host 21**].

Thus, it would have been obvious to the person of ordinary skill in the art at the time the invention was made to modify the system of Beilinson, Kruglenko, Lapidous, and Mathew by including the teaching of Rowland because it would be able to detect intrusion as they are occurring or soon after in real-time system [**Rowland, fig. 17, par. [0068], lines 1-3**].

As per claims 33-34:

Claims 33-34 are similar to those of claims 12-13 accordingly, thus they are rejected with the same rationale applied against claims 12-13 above.

As per claims 54-55:

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Claims 54-55 are essentially the same as claim 12-13 accordingly except that it sets forth the claimed invention as a method rather a system comprising and rejected under the same reasons as applied above.

Claims 14, 35, and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Beilinson** et al. (US2004/0003279 A1) in view of **Kruglenko** (US 2003/0217287 A1) further in view of **Lapidous** (US 2004/0125149 A1) and further in view of **Mathew** et al. (US 2004/0003071 A1), and further in view of **Terry** (US 2002/0026605 A1).

As per claim 14:

Beilinson, Kruglenko, Lapidous, and Mathew teach the system as described in claim 11.

Beilinson, Kruglenko, Lapidous, and Mathew do not explicitly teach a system wherein the particular computer event includes the start up of the computer.

However, Terry teaches a system wherein the particular computer event includes the start up of the computer [**Terry: par. [0051], lines 1-3; “ tracking of all internal machine configuration profiles (start-up) in a computer unit 105 having the client application 110”**].

Thus, it would have been obvious to the person of ordinary skill in the art at the time the invention was made to combine the system of Beilinson, Kruglenko, Lapidous, and Mathew by including the teaching of Terry because it would provide the ability to report in a real-time environment to the monitor station and the ability to record and analyze a “penetration pattern” of unknown program [**Terry, par. [0016] and par. [0017]**].

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As per claim 35:

Claim 35 is similar to those of claim 14, thus it is rejected with the same rationale applied against claims 14 above.

As per claim 56:

Claim 56 is essentially the same as claim 14 accordingly except that it sets forth the claimed invention as a method rather a system comprising and rejected under the same reasons as applied above.

Conclusion

The prior arts made of record and not relied upon are considered pertinent to applicant's disclosure.

US 7328439 B1 to Clark; Richard et al.;

US 7380218 B2 to Rundell; David Neal.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Canh Le whose telephone number is 571-270-1380. The examiner can normally be reached on Monday to Friday 7:30AM to 5:00PM other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zand Kambiz can be reached on 571-272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Canh Le/

Examiner, Art Unit 2439

January 13, 2009

/Kambiz Zand/

Supervisory Patent Examiner, Art Unit 2434